

**LOUISVILLE METRO COUNCIL
REGULAR MEETING
AUGUST 28, 2008
6:00 PM
METRO COUNCIL CHAMBERS**

CALL TO ORDER: President King called the **August 28, 2008** Louisville Metro Council regular meeting to order at 6:00 PM. He asked all to rise and join in the Pledge Allegiance to the flag.

PRESIDENT KING: Madam Clerk, a roll call please.

ROLL CALL:

JUDY GREEN: EXCUSED ABSENCE
BARBARA SHANKLIN: PRESENT
MARY WOOLRIDGE: EXCUSED ABSENCE
DAVID TANDY: EXCUSED ABSENCE
CHERI HAMILTON: EXCUSED ABSENCE
GEORGE UNSELD: PRESENT
KEN FLEMING: PRESENT
TOM OWEN: PRESENT
TINA WARD-PUGH: EXCUSED ABSENCE
PRESIDENT JIM KING: PRESENT
KEVIN KRAMER: EXCUSED TARDY
RICK BLACKWELL: PRESENT
VICKI WELCH: PRESENT
BOB HENDERSON: PRESENT
MARIANNE BUTLER: PRESENT
KELLY DOWNARD: PRESENT
GLEN STUCKEL: PRESENT
JULIE RAQUE ADAMS: PRESENT
HAL HEINER: PRESENT
STUART BENSON: PRESENT
DAN JOHNSON: PRESENT
ROBIN ENGEL: PRESENT
JAMES PEDEN: PRESENT
MADONNA FLOOD: PRESENT
DOUG HAWKINS: PRESENT
ELLEN CALL: PRESENT

CLERK: There are 21 members PRESENT. A quorum was established.

PRESIDENT KING: Madam Clerk, please cause the record to reflect that Council Members Green, Woolridge, Tandy, Hamilton, and Ward-Pugh have excused absences and Council member Kramer has an excused tardy.

CLERK: So noted.

MOMENT OF SILENCE:

PRESIDENT KING: Councilman Hawkins, were you seeking a point of personal privilege?
COUNCILMAN HAWKINS: Yes, Mr. President, and I certainly appreciate that. We in the south end of the county had a tragic loss last week Thursday the 23rd. Maxwell Dean Gilfin, 15 year old sophomore at PRP High School, football player died due to complications with heatstroke or heat exhaustion. He collapsed during practice. I would like to ask the council if they would give a moment of silence in his memory, please, sir.
PRESIDENT KING: Thank you, Mr. Hawkins.

ADDRESSES TO COUNCIL:

PRESIDENT KING: Madam Clerk, are there any addresses to council?

CLERK: Yes, sir

Address to council from Ken Tyler. Is Mr. Tyler in the audience?
Apparently he is not here. There are no further addresses to the council.

APPROVAL OF COUNCIL MINUTES

PRESIDENT KING: Thank you, Madam Clerk. Next, we have approval of Council minutes for the Regular Council Meeting of August 14th, 2008.

Are there any corrections or deletions?

May I have a motion for approval?

COUNCILWOMAN BUTLER: So moved.

COUNCILMAN PEDEN: Second

PRESIDENT KING: The minutes have been properly moved and seconded.

All those in favor, say aye.

ALL PRESENT: AYE

Opposed?

The ayes have it. **These minutes are approved as written.**

APPROVAL OF COMMITTEE MINUTES:

PRESIDENT KING: Next, we have approval of the following committee minutes:

Regular: Appropriations, NDFs and CIFs – August 21, 2008

Regular: Budget – August 20, 2008

Regular: Committee of the Whole – August 14, 2008

Regular: Committee on Committees – August 26, 2008

Regular: Contracts – August 18, 2008

Regular: Labor and Economic Development – August 21, 2008

Regular: Parks, Libraries, Zoo and Arts – August 18, 2008

Regular: Public Safety – August 19, 2008

Regular: Planning/Zoning, Land Design & Development – August 19, 2008

Regular: Rules, Ethics and Appointments – August 20, 2008

Regular: Transportation/Public Works – August 18, 2008

PRESIDENT KING: Are there any corrections or deletions? May I have a motion for approval?

COUNCILWOMAN WELCH: So moved.

COUNCILMAN JOHNSON: Second.

PRESIDENT KING: The minutes have been properly moved and seconded.

All those in favor, say aye.

ALL PRESENT: AYE

Opposed? The ayes have it.

The minutes are approved as written.

Madame Clerk, please cause the record to reflect that Councilwoman Call is present.

CLERK: So noted.

INTRODUCTION OF PAGE:

PRESIDENT KING: Councilman Owen, do you have a page this evening?

COUNCILMAN OWEN: Elizabeth is a third grader at Saint James School in the 8th district, a resident of the 8th, one of our long standing residents in the 8th is Elizabeth's great grandmother, and that is Jo Ann Isen And Elizabeth is here with us. She plays volleyball. She sings in the church choir. She must love animals because she wants to be a veterinarian as soon as she can get through school and get prepared to do it. So we are honored to have Elizabeth Moore with us this evening and serve as our page.

NOTIFICATION OF INTENT TO CHANGE COUNCIL RULES:

PRESIDENT KING: The next item of business is the Notification of Intent to Change Council Rules.

According to rule 11.01 rules of the council may be amended by affirmative vote by majority of the members of the council provided that notice of vote is given at a previous meeting and appears at agenda. Madam Clerk, a reading of the proposed change.

CLERK HERRON: The proposed change is a new subsection (f) to Section 6.04:

A non-binding resolution which is introduced within 90 days of a primary, general or special election where at least one sitting member of the council is on the ballot, must have approval of 18 members of the council before the council may deliberate and take action upon such item. Read in full.

PRESIDENT KING: Thank you. The request to change to our rules is referred to Rules, Ethics and Appointments Committee.

GUESTS:

PRESIDENT KING: Councilman Hawkins, do a have guests this evening?

COUNCILMAN HAWKINS: Yes Sir I do.

PRESIDENT KING: Would you like to introduce them?

COUNCILMAN HAWKINS: Yes, sir. I have several things going on here.

PRESIDENT KING: I can go onto another item, if you would like.

COUNCILMAN HAWKINS: All right, Mr. President, thank you, sir. I have with me today Miss Ashley Ferry. And Ms. Ferry is the 2008 Miss Kentucky Outstanding Teen. Now, I don't want to brag about District 25, but we have the Patti Jo Grice, 2006 Derby Princess, we have Olivia Henken who is the 2007 Miss Kentucky. We have Lindsay Henken who was the 2007 Miss Kentucky pre-teen and now we have Ashley Ferry, the 2008 Miss Kentucky Outstanding Teen. I would like to read to you a little bit about Ashley. She had perfect attendance in school since first grade. She plays the oboe and dances more than 20 hours a week. Each month she performs dance and oboe productions for senior citizens in retirement homes. She has developed Bridging the Gap to help seniors feel appreciated when they are forgotten or neglected. She influences the lives of not only seniors but her peers as well. Through Ashley's volunteer work teens realize seniors have -- teens realize what seniors have to offer to society and seniors realize how much they are appreciated and respected. Ashley would like to expand this program by contacting local and regional centers for the elderly as well as develop printed material to use a marketing campaign. She hopes to work with the National Council on Aging to develop performing arts programs locally and nationally. I would like to read this proclamation for Ashley.

*To all whom these letters shall come, Greetings:
Know ye, that the Louisville Metro Council
hereby issues a Proclamation honoring Ashley Ferry*

Whereas, duPont Manual High School student Ashley Ferry has distinguished herself and her community by being crowned 2008 Miss Kentucky Outstanding Teen,

Whereas, Ashley gained this title by demonstrating dance and oratory skills, as well as poise and scholastic achievement,

Whereas, Miss Ferry has defined herself as a leader at duPont Manual High School and has developed "Bridging The Gap" which develops relationships between elderly and the youth through the performing arts,

Whereas, Ashley maintains a grade point average of 3.95 and intends to use her scholastic skills to earn a degree in engineering as well as continuing her mission of working with the elderly and youth.

In testimony whereof, we have caused these letters to be made, and the seal of the Louisville Metro Government to be hereunto affixed.

*Done in Louisville,
This 28th day of September, 2008
/s/ Doug Hawkins
Twenty-fifth District Councilman*

*/s/ Jim King
Louisville Metro Council President*

Ashley would like to say a few words about the competition and what she has to do.

ASHLEY FERRY: This is an amazing honor and I thank you for giving me this award. I have been working in the pageant system since I was in eighth grade and through this competition, I have learned to work on my communications skills by being able to talk in front of people and not get nervous because of interviews. We have ten-minute interviews based on political issues and current events and our personalities and getting to know us as teenagers. Also we have to perform a two-minute talent routine on stage which shows confidence and poise. Also we have to walk in an evening gown and physical fitness which takes place of the swim suit which the older girls compete in. So through all of these things I have gained a lot and I know it will help me become a better person. I have worked since 8th grade and I have tried to get this title and I finally have it and I just competed at Miss America's Outstanding Teen which is a teen version of Miss America and even though I did not place in the top ten I did get \$46,000 in scholarships to Troy University in Alabama as well as a thousand dollars to a school of my choice. So through this, it's made not only me a better person but allowed me to further my career. So thank you very much and I'm very honored.

COMMUNICATIONS FROM THE MAYOR:

PRESIDENT KING: Madam Clerk, are there any communications from the mayor?

CLERK HERRON: Yes, sir.

August 25, 2008

Mr. Jim King, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President King,

In accordance with the Landbank Authority Ordinance, I am appointing Mr. James Braun to the Landbank Authority. This appointment will expire on February 29, 2012.

Your prompt action on this appointment is most appreciated.

Sincerely,

/s/ Jerry E Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosure
e-copy to MCC
Councilman George Unseld enclosure

August 25, 2008

Mr. Jim King, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President King:

In accordance with the Volunteer Fire Districts Ordinance, I am appointing Mr. Martin Fautz to the **Buechel Fire District Board**. He will fill the position of Property Owner. This appointment will expire on June 30, 2011.

Your prompt action on this appointment is most appreciated.

Sincerely,

/s/ Jerry E Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosure
e-copy to MCC
Councilman George Unseld enclosure

August 25, 2008

Mr. Jim King, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President King:

In accordance with the Volunteer Fire Districts Ordinance, I am appointing Mr. William Edelen to the **Lyndon Fire District Board**. He will fill the position of Property Owner. This appointment will expire on June 30, 2009.

Your prompt action on this appointment is most appreciated.

Sincerely,

/s/ Jerry E Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming enclosure
e-copy to MCC
Councilman George Unseld enclosure

August 25, 2008

Mr. Jim King, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President King,

In accordance with the Urban Service District Ordinance, I am appointing Mr. Rudy Davidson to the Urban Service District. This appointment will expire on February 28, 2009.

Council approval of this appointment is not required.

Sincerely,

/s/ Jerry E Abramson

Jerry E. Abramson
Mayor

JEA/set

cc: Councilman Ken Fleming
e-copy to MCC

PRESIDENT KING: Thank you, Madam Clerk. These appointments are referred to the Rules, Ethics and Appointments Committee for review.

CONSENT CALENDAR:

PRESIDENT KING: The next order of business is the Consent Calendar. The Consent Calendar comprises items 15 through 26, are there any deletions or additions?
Madame Clerk a second reading of these items.

Consent Calendar:

15. R-140-08-08 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A LANE CONTROL SYSTEM UPGRADE ALONG BARDSTOWN ROAD.

Status: On Council Agenda - Consent Calendar
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

16. O-152-08-08 AN ORDINANCE CLOSING AN UNNAMED ALLEY RUNNING BETWEEN ALGONQUIN PARKWAY AND WINKLER AVENUE APPROXIMATELY 135 FEET NORTH OF TAYLOR BOULEVARD, AND AN ADDITIONAL SECTION OF UNNAMED ALLEY THAT INTERSECTS WITH THE AFOREMENTIONED ALLEY AND RUNS PARALLEL TO ALGONQUIN PARKWAY, CONTAINING A TOTAL OF 7,362.21 SQUARE FEET BEING IN LOUISVILLE METRO (CASE NO. 10794).

Status: On Council Agenda - Consent Calendar
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

17. R-139-08-08 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO INITIATE THE FORM DISTRICT AND ZONING MAP AMENDMENT PROCESS TO RECONFIGURE THE BOUNDARIES OF THE EXISTING FORM DISTRICTS AND ZONING DISTRICTS TO RECLASSIFY THE AREA AS RECOMMENDED BY THE PORTLAND NEIGHBORHOOD PLAN AND FORWARD ITS RECOMMENDATION TO THE METRO COUNCIL.

Status: On Council Agenda - Consent Calendar
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Cheri Bryant Hamilton

18. AP082008AP APPOINTMENT OF ALYSIA DANIELLE "DANI" PORTER TO THE GREATER LOUISVILLE CONVENTION AND VISITORS BUREAU, TERM EXPIRES JULY 31, 2010.

Status: On Council Agenda - Consent Calendar
Committee: Rules, Ethics, & Appointments

19. RP082008WT REAPPOINTMENT OF WILLIAM TOMPKINS TO THE GREATER LOUISVILLE CONVENTION AND VISITORS BUREAU, TERM EXPIRES AUGUST 16, 2011.

Status: On Council Agenda - Consent Calendar
Committee: Rules, Ethics, & Appointments

20. RP082008WRS REAPPOINTMENT OF MANFRED REID, SR. TO THE LOUISVILLE METRO HOUSING AUTHORITY, TERM EXPIRES MARCH 31, 2011.

Status: On Council Agenda - Consent Calendar
Committee: Rules, Ethics, & Appointments

21. R-136-08-08 A RESOLUTION AMENDING THE COUNCIL MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

(THE COUNCIL) FOR THE CALENDAR YEAR 2008

Status: On Council Agenda - Consent Calendar
Committee: Rules, Ethics, & Appointments
Primary Sponsor:
Marianne Butler
Vicki Welch

22. O-147-08-08 AN ORDINANCE AMENDING ORDINANCE NO. 98, SERIES 2005 BY TRANSFERRING \$76,661.74 IN AGENCY RECEIPT FUNDS FROM THE COMPLETED ANIMAL CARE CENTER FEASIBILITY STUDY PROJECT TO THE ANIMAL TRANSPORT CAGES PROJECT.

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: Robert Henderson

23. R-138-08-08 A RESOLUTION DETERMINING FOUR (4) VACANT PARCELS OF REAL PROPERTY LOCATED AT 3218, 3220, 3222 AND 3224 GREENWOOD AVENUE OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: Judy Green

24. O-157-08-08 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING AND APPROVING THE EXECUTION OF A MASTER LEASE AND SUBLEASE AGREEMENT TO FINANCE THE ACQUISITION OF EQUIPMENT AND THE CONSTRUCTION OF RENOVATIONS AND IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$16,000,000 FOR THE BENEFIT OF UNIVERSITY MEDICAL CENTER, INC., d/b/a UNIVERSITY OF LOUISVILLE HOSPITAL AND TAKING OTHER RELATED ACTION.

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

25. O-146-08-08 AN ORDINANCE APPROPRIATING \$9,500 FROM THE DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE PRESBYTERIAN COMMUNITY CENTER, JOHN LITTLE, FOUNDER, FOR PROGRAM EXPENSES, MATERIALS, SPEAKERS AND VENUES.

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: George Unseld

26. O-148-08-08 AN ORDINANCE APPROPRIATING \$7,000 FROM THE DISTRICT 12 NEIGHBORHOOD DEVELOPMENT FUND TO THE LOUISVILLE METRO POLICE DEPARTMENT TO FUND OVERTIME EXPENSES FOR OFFICERS TO PATROL IN DISTRICT 12.

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Rick Blackwell

PRESIDENT KING: May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILMAN BLACKWELL: Second

PRESIDENT KING: The Consent Calendar has been properly moved and seconded and requires a roll call vote. Madam Clerk, please open the voting.

Voting Result: Consent Calendar

JUDY GREEN: EXCUSED ABSENCE
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: EXCUSED ABSENCE
DAVID TANDY: EXCUSED ABSENCE
CHERI HAMILTON: EXCUSED ABSENCE
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: YES
TINA WARD-PUGH: EXCUSED ABSENCE
PRESIDENT JIM KING: YES
KEVIN KRAMER: EXCUSED TARDY
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JULIE RAQUE ADAMS: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK: There were 20 YES votes and SIX members not voting; Council Members Green, Woolridge, Tandy, Hamilton, Ward-Pugh and Kramer.

PRESIDENT KING: **The Consent Calendar passes.**

OLD BUSINESS:

PRESIDENT KING: The next item of business is Old Business. Madam Clerk, a reading of Item 27.

27. R-123-07-08 A RESOLUTION DETERMINING ONE PARCEL OF REAL PROPERTY LOCATED IN McNEELY LAKE PARK IN LOUISVILLE/ JEFFERSON COUNTY METRO, KENTUCKY, CONTAINING APPROXIMATELY 2.649 ACRES, AND DESCRIBED ON EXHIBIT A, HERETO, OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), GOVERNMENTAL SUCCESSOR TO THE COUNTY OF JEFFERSON, KENTUCKY, AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS SALE AND TRANSFER. (AS AMENDED)

Status: On Council Agenda - Old Business
Committee: Labor & Economic Development
Primary Sponsor: James Peden

PRESIDENT KING: This item was postponed at the August 14th meeting to this meeting and as a reminder it was also heard and amended at our July 24th meeting. We now have the committee amended version before us. Is there any discussion, Councilwoman Butler?

COUNCILWOMAN BUTLER: Thank you, Mr. President.

This came out of committee unanimous. I'm not sure if Mr. Peden would like to speak to it as well since it's in his district.

PRESIDENT KING: There was a question, the reason it was postponed previously, having to do with a contract with the water company, is that right?

COUNCILWOMAN BUTLER: Yes, sir. There were changes made to the amendment per the request of Mr. Peden. And also just as a point of order, I will be abstaining from this because of the -- my connection with the water company.

PRESIDENT KING: Mr. Peden, would you like to address this?

COUNCILMAN PEDEN: Councilwoman Butler is correct. When we made the amendment to limit the impact on the park, it was then apparent that it needed to go back to the attorneys.

Some of the amendments that we did for legal reasons be put into the purchase agreement. I'm assuming that unless someone from the county attorney's office, perhaps, has any objection since they were dealing with the contract side of things, then we will go ahead and vote. It was a good addition to the neighborhood and the water company agreed to the stipulations such as not fencing in the whole two acres they are being given and all of that.

PRESIDENT KING: Mr. O'Brien with the county attorney's office, would you approach and comment on this?

MR. O'BRIEN: William O'Brien, Jefferson County Attorney's Office. The contract has been reviewed by both legal counsel for the Metro Government and the Louisville Water Company and based upon the requested changes it's been approved and I believe it's been signed by everybody but the mayor's office at this point in time.

PRESIDENT KING: Thank you, does that satisfy everyone?

Very good. Is there further discussion?

Hearing none, the question is on the committee recommended version including the committee amendment. We have the amended resolution before us which would ordinarily call for a voice vote, but in order to record Councilwoman Butler's abstention I will be asking to use the voting system. Madame Clerk, please open the voting

Voting Result : Item 27

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: EXCUSED TARDY

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: ABSTAIN

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: YES

HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK; There were 19 YES votes, ONE abstention from CW Butler and SIX members not voting; Council Members Green, Woolridge, Tandy, Hamilton, Ward-Pugh and Kramer.

PRESIDENT KING: **The resolution passes with one abstention.**
Madam Clerk, a reading of Item 28.

28. O-145-07-08 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (JULY 1, 2008 THROUGH JUNE 30, 2012) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO, LOCAL 2629 CONCERNING REPRESENTED EMPLOYEES IN TWELVE DEPARTMENTS (AFSCME MASTER AGREEMENT).(AS AMENDED)

Status: On Council Agenda - Old Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

PRESIDENT KING: May I have a motion for approval?
COUNCILMAN DOWNARD: Motion to approve
COUNCILMAN OWEN: Second.
PRESIDENT KING: In keeping with our new practice we have the committee amended version before us as our working document. Is there any discussion, Councilwoman Butler, I believe you are vice chair of Labor and Economic Development is that right?

COUNCILWOMAN BUTLER Yes, sir. Thank you, Mr. President. This is a contract that has been voted on by the AFSCME membership and has been approved. When the committee was going over this particular contract, it was determined we found out, discovered that there was a paragraph that was inadvertently lost somewhere in the transition of SIRE and that is why it's actually amended and on old business, but it did come out of committee unanimously.

PRESIDENT KING: Thank you. Is there any further discussion?
Councilman Hawkins.

COUNCILMAN HAWKINS: Did we ever get a signed copy signed by both parties of that and if Mr. O'Brien is here he could address that. We have been told we have a signed copy.

PRESIDENT KING: Madame Clerk, is that on their system?

CLERK HERRON: Yes there is Ordinance 145 AFSCME letter which is has been signed by the appropriate parties and it is on the system.

COUNCILMAN HAWKINS: Addressing Item number 10.

CLERK HERRON: Correct.

COUNCILMAN HAWKINS: Thank you, ma'am.

PRESIDENT KING: Is there any further discussion?

Hearing none the question is on the committee recommended version including the committee amendment. This amended ordinance requires a roll call vote.

A vote for the committee amended version adopts the committee recommended amendments. Madame Clerk, please open the voting.

Voting Result : Item 28

JUDY GREEN: EXCUSED ABSENCE
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: EXCUSED ABSENCE
DAVID TANDY: EXCUSED ABSENCE
CHERI HAMILTON: EXCUSED ABSENCE
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: YES
TINA WARD-PUGH: EXCUSED ABSENCE
PRESIDENT JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JULIE RAQUE ADAMS: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 21 Yes votes and Five not voting, Council members, Green, Woolridge, Tandy, Hamilton and Ward-Pugh.

PRESIDENT KING: The ordinance as amended passes.
Madam Clerk a reading of Item 29.

29. O-158-08-08 AN ORDINANCE APPROPRIATING (\$57,800) \$73,800 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$6,000 FROM DISTRICTS 2 AND 16, \$2,000 FROM DISTRICTS 6 AND 8 , \$4,000 FROM DISTRICTS 1, 3, 9 AND 11, \$8,000 FROM DISTRICT 5, \$13,800 FROM DISTRICT 12, AND \$10,000 FROM DISTRICTS 13 AND 23 THROUGH THE FINANCE AND ADMINISTRATION DEPARTMENT TO THE BLUE APPLE PLAYERS, INC. TO FUND PERFORMANCES IN LOUISVILLE METRO AREA ELEMENTARY SCHOOLS. (AS AMENDED)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:
James Peden
Barbara Shanklin
George Unseld
Kelly Downard
Kevin Kramer
Rick Blackwell
Tina Ward-Pugh
Tom Owen
Vicki Welch
Mary C. Woolridge
Cheri Bryant Hamilton
Judy Green

COUNCILWOMAN WELCH: Motion to approve.

COUNCILMAN PEDEN: Second.

PRESIDENT KING: The item has been properly moved and seconded.

Did you say it was amended in committee?

CLERK HERRON: Yes, that's correct.

PRESIDENT KING: We have the committee amended version before us.

Is there any discussion?

This came out of appropriations. Councilman Johnson, do you want to address this?

COUNCILMAN JOHNSON: Yes, there were several amendments of additions that have been read and I would appreciate you all approving this.

PRESIDENT KING: The nature of the amendments was to add funds?

COUNCILMAN JOHNSON: The amendments were read in the title.

PRESIDENT KING: I got you. Thank you. Is there any further discussion?

Hearing none this is an ordinance calling for roll call vote. Madame Clerk, please open the voting.

Voting Result : Item 29

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: YES

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: YES

JAMES PEDEN: YES

MADONNA FLOOD: YES

DOUG HAWKINS: YES

ELLEN CALL YES

CLERK HERRON: There are 21 Yes votes and 5 not voting, Council members, Green, Woolridge, Tandy, Hamilton and Ward-Pugh.

PRESIDENT KING: **The ordinance as amended passes.**

Madam Clerk, a reading of Item 30.

30. R-132-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT –
(MICHAEL D. KRAMER - \$50,000.00).

Status: On Council Agenda - Old Business
Committee: Contracts
Primary Sponsor: Jim King

PRESIDENT KING: May I have a motion for approval?
COUNCILWOMAN WELCH: Motion to approve.
COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? I believe this came out of contracts. We had a lack of quorum. I'm not sure if Councilwoman Adams or Councilwoman Butler should address it. Councilwoman Adams, you are the chair, how would you like to address it?

COUNCILWOMAN ADAMS: That is fine. I will address it. This item and then the next following five items all came out of the contracts committee. As you said there, was an issue with a quorum. All of the following items are standard agreements and they were non-controversial.

PRESIDENT KING: Thank you. Is there any further discussion?

Hearing none, this is a resolution calling for a voice vote. All in favor say aye.

ALL PRESENT: AYE

Opposed? (None)

PRESIDENT KING: The ayes have it. **The resolution is adopted.**

Madam Clerk, a reading of Item 31.

31. R-133-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (MATT HEITZMANN - \$52,000.00).

Status: On Council Agenda - Old Business
Committee: Contracts
Primary Sponsor: Jim King

COUNCILWOMAN WELCH: So moved.
COUNCILWOMAN SHANKLIN: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? This is a contract that came out of contracts committee without a quorum.
Hearing no discussion, this is a resolution calling for a voice vote.

All in favor say aye.

ALL PRESENT: AYE

Opposed? (None)

PRESIDENT KING: The ayes have it. **The resolution is adopted.**

Madam Clerk, a reading of Item 32.

32. R-134-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL CONTRACT - A.T.I. ENVIRONMENTAL SERVICES, INC., \$35,000.00.

Status: On Council Agenda - Old Business

Committee: Contracts
Primary Sponsor: Mary Woolridge

PRESIDENT KING: May I have a motion for approval, please?
COUNCILMAN DOWNARD: So moved.
COUNCILWOMAN FLOOD: Second.
PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?
Again, this item came out of contracts without a quorum. Hearing no discussion, this is a resolution requiring a voice vote.
ALL PRESENT: AYE
Opposed? (None)
PRESIDENT KING: The ayes have it. **The resolution is adopted.**
Madam Clerk, a reading of Item 33.

33. R-135-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (TILFORD DOBBINS ALEXANDER BUCKAWAY AND BLACK PLLC - \$100,000.00).

Status: On Council Agenda - Old Business
Committee: Contracts
Primary Sponsor: Madonna Flood

PRESIDENT KING: May I have a motion for approval?
COUNCILWOMAN FLOOD: Motion to approve.
COUNCILMAN DOWNARD: Second.
PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? The item came out of contracts without a lack of a quorum.
Hearing no discussion, this is a resolution requiring a voice vote.
ALL PRESENT: AYE
Opposed? (None)
PRESIDENT KING: The ayes have it. **The resolution is adopted.**
Madam Clerk, a reading of Item 34.

34. R-143-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (IVORY ROLLINS - \$30,000.00).

Status: On Council Agenda - Old Business
Committee: Contracts
Primary Sponsor: Judy Green

PRESIDENT KING: May I have a motion for approval?
COUNCILMAN DOWNARD: Motion to approve.
COUNCILWOMAN SHANKLIN: Second.
PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? The item came out of contracts without a lack of a quorum.
Hearing no discussion, this is a resolution requiring a voice vote.
ALL PRESENT: AYE
Opposed? (None)
PRESIDENT KING: The ayes have it. **The resolution is adopted.**
Madam Clerk, a reading of item 35.

35. R-137-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (JEFFERSON COUNTY BOARD OF EDUCATION - \$26,000.00).

Status: On Council Agenda - Old Business
Committee: Contracts
Primary Sponsor: Judy Green

COUNCILMAN DOWNARD: Motion to approve.

COUNCILWOMAN SHANKLIN: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? The item came out of contracts with lack of a quorum.

Hearing no discussion, this is a resolution requiring a voice vote.

ALL PRESENT: AYE

Opposed? (None)

PRESIDENT KING: The ayes have it. **The resolution is adopted.**

Madam Clerk, a reading of Item 36.

36. O-150-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-5, SINGLE-FAMILY RESIDENTIAL TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 1525, 1527, 1535 AND 1537 BERRY BOULEVARD, CONTAINING A TOTAL OF 1.04 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9822).

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILWOMAN FLOOD: Motion to approve.

COUNCILWOMAN WELCH: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? Councilman Owen?

COUNCILMAN OWEN: This was heard in the zoning committee and comes to us for a recommendation from the committee for approval. This is an athletic club, the Knights Athletic Club site there at Powell and Berry Boulevard. My sense is the athletic club has grown up like Topsy, so it's an attempt to consolidate zoning in a series of structures that includes a commercial structure at the corner at Powell and Berry. It includes a space for an outdoor volleyball court. It includes a clubhouse. It includes a residential structure. This is all kind of rambling along to the east on the north side of Berry Boulevard from Powell. So this is an attempt to bring into full compliance the zoning that would accommodate all of these multi-uses that include residential, retail and the club facility. So this is in Councilwoman Marianne Butler's district and she may want to comment.

PRESIDENT KING: Councilwoman Butler, are you seeking recognition?

COUNCILWOMAN BUTLER: Thank you, Mr. President. The Knights Athletic Club has been active in the neighborhood for many, many years and as long as I can recall it has been exactly the way Councilman Owen is calling it and they want to come into compliance with everything. They do great stuff in the neighborhood and they help beautify that area with landscaping and what have you so I urge support for this.

PRESIDENT KING: Very good. Is there any further discussion?

Hearing none, this ordinance requires a roll call vote. Madame Clerk, please open the voting.

Voting Result : Item 36

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE
CHERI HAMILTON: EXCUSED ABSENCE
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: YES
TINA WARD-PUGH: EXCUSED ABSENCE
PRESIDENT JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JULIE RAQUE ADAMS: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 21 YES votes and 5 not voting.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk, a reading of Item 37,

37. O-151-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE-FAMILY RESIDENTIAL TO PEC, PLANNED EMPLOYMENT CENTER ON PROPERTY LOCATED AT 1408, 1412 AND 1416 TUCKER STATION ROAD, CONTAINING A TOTAL OF 11.3 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9585).

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILMAN OWEN: Motion to approve.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?
Councilman Owen?

COUNCILMAN OWEN: This was heard in Planning, Zoning, Land Design and Development Committee. It comes to the full council with a recommendation for approval. This is part of the office industrial park that includes Blankenbaker Crossing. It includes the Hollenbach Oakley site. It's east of Blankenbaker Parkway. If you take Bluegrass Parkway back to where you get a double dog leg of Tucker Station Road. You know you are close to it when you see the left that will take you up to Hoops, the recreational facility and the Swope Boy Scout Heritage Center. You keep going on Tucker Station and you make the left on Tucker Station and it's there on the left and this is a proposal for doing two office buildings and an office warehouse building, and there was interest in significant buffering of the site because there are some loading docks actually associated with this office warehouse building. And so there was an effort to try to -- there were also some commitments to widen the road to make some traffic adjustments in the narrow Tucker Station at that point and I believe they have to come back for full approval of the

final plans before the planning commission. It seems to me that that's right. And this is in Mr. Benson, Stuart Benson's district, and he may well want to comment.

PRESIDENT KING: Councilman Benson, would you like to comment?

COUNCILMAN BENSON: Mr. President, thank you. This is part of the industrial park and I think this is the proper zoning for this area and I'm for this so I hope you all would vote for it. Thank you.

PRESIDENT KING: Further discussion?

Councilman Johnson, were you clicked in for a reason?

COUNCILMAN JOHNSON: I would like to know where this is exactly.

COUNCILMAN OWEN: I don't know that I could have described it in more detail.

COUNCILMAN DOWNARD: Was it the double dog leg that lost you.

COUNCILMAN OWEN: It is in Mr. Benson's district and I'll let him try to explain it. I tried and obviously failed.

PRESIDENT KING: Councilman Benson would you like to explain where this is?

COUNCILMAN BENSON: Yes sir. Tucker Station makes a left, and if you take Tucker Station and go straight it would be South Pope Lick Road but if you make a left on Tucker Station, it's right on that corner.

COUNCILMAN OWEN: Just beyond, one way of talking about it is Papa John's international, do you know where their office is? Then you continue straight ahead where you join Tucker Station, then it's left, and left again. The site is on the left. I guess it would be south of I-64 maybe.

COUNCILMAN JOHNSON: The reason I ask is I grew up near there and I wanted to make sure where it was.

COUNCILMAN OWEN: I will comment, Mr. President.

PRESIDENT KING: You go right ahead.

COUNCILMAN OWEN: I decided the decorum was appropriate after all, and Mr. President, with your permission, I will say that when I visited the site, if you would tell my council colleague when I visited the site, it is right on the cusp of the expansion of that warehouse industrial park toward the east and when I was visiting the site, a horse literally raised its head up over the wood fence and looked for a sugar cube. So that's just where you are literally on the cusp of the advance of this industrial park toward the Snyder south of I-64 and east of Blankenbaker Parkway.

PRESIDENT KING: Councilman Johnson, it's on the cusp of the agricultural land in Jefferson County. Is there any further discussion?

Hearing none, this ordinance requires a roll call vote. Madame Clerk, please open the voting

Voting Result : Item 37

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES
GLEN STUCKEL: YES
JULIE RAQUE ADAMS: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 21 YES votes and 5 not voting.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk a reading of Item 38.

38. O-153-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-6, MULTI-FAMILY RESIDENTIAL, C-1 AND C-2, COMMERCIAL, AND M-3, INDUSTRIAL TO EZ-1, ENTERPRISE ZONE ON PROPERTY LOCATED AT 1000 AND 1001 GLENGARRY DRIVE, CONTAINING A TOTAL OF 23.27 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 10314).

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILMAN OWEN: Motion to approve.

COUNCILWOMAN WELCH: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?
Councilman Owen?

COUNCILMAN OWEN: Yes, sir, Mr. President, this is a proposal for a warehouse facility. There will be four office warehouse buildings. This is a very, very unusual site. This is on the National Turnpike. It would be south of the Outer Loop tucked in between the Snyder and the Outer Loop on the east side of National Turnpike.

There may be someone here that remembers this site is just north of the old South Park drive in. Now, across the street and this is pure self indulgence, Mr. President, across the street, and it may astound folks that are listening, across the street near Shaffer Lane historically there is an African-American school that was the South Park's colored school during racial segregation. We believe the African-Americans that settled there right on the edge of Fairdale that those African-Americans came there for as part of Mans Lick just after the American revolution where there was a large salt works there a very intensive industrial operation. Those African-Americans formed an African-American school called South Park Colored School which was adopted in part by the fund, the charitable fund of the president of Sears and Roebuck's and it became a Rosenwall School. It was renamed the Rosenwall School and survived until the late 1930s, but nevertheless I could not help but drop that piece of information in. Excuse me, and forgive my self indulgence. The challenge of the site it seems to me is that there is commercial on the east side of National Turnpike. And you go back to a long distance behind the commercial on a long divided roadway that leads to a very dense mobile park, mobile home park. So these warehouse buildings are going to be tucked between that commercial that faces National Turnpike, and the pretty dense mobile home park which is on the rear of the site. But there were efforts at buffering and there is a goodly distance of separation between the commercial and residential at the mobile home park. So this is, as I say, a proposal for four office warehouse buildings. It is Councilwoman Welch's district and she may very well want to comment.

PRESIDENT KING: Councilwoman Welch, would you like to comment.

COUNCILWOMAN WELCH: Thank you, Mr. President and Councilman Owen, you did a wonderful job of describing that.

COUNCILMAN OWEN: Thank you.

COUNCILWOMAN WELCH: This is also in the airport noise area. There was some interest in apartments at that site, but that was not doable because of the airport so the warehouses are a perfect fit for this land. There are other warehouses all around there now since we do have the opening of the UPS ground transportation next Friday in my district. There are warehouses popping up all over my district, but this is an appropriate place for the warehouses, and I would appreciate your support.

PRESIDENT KING: Thank you, Councilman Welch. Thank you for announcement while you were at it. Is there any further discussion?

Hearing none, this ordinance requires a roll call vote. Madame Clerk, please open the voting.

Voting Result : Item 38

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: YES

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: YES

JAMES PEDEN: YES

MADONNA FLOOD: YES

DOUG HAWKINS: YES

ELLEN CALL YES

CLERK HERRON: There are 21 YES votes and 5 not voting.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk, a reading of Item 39.

39. O-154-08-08 AN ORDINANCE CHANGING THE ZONING FROM C-2, COMMERCIAL AND M-2, INDUSTRIAL TO C-M, COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 4739 DIXIE HIGHWAY, CONTAINING A TOTAL OF 0.83 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 10234).

Status: On Council Agenda - Old Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval.
COUNCILMAN OWEN: Motion to approve.
COUNCILWOMAN WELCH: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? Councilman Owen, I should point out. I am calling to you because you are chair of the planning and zoning committee.

COUNCILMAN OWEN: We had a busy agenda.

PRESIDENT KING: I continue to call on you without recognizing the chair and I apologize for that.

COUNCILMAN OWEN: Maybe we could have a yes yes, every time you call me.

PRESIDENT KING: We will do that.

COUNCILMAN OWEN: This is a site at Rockford Lane and Dixie Highway. Rockford Lane, the major portion of Rockford Lane goes to the west but there is a dead-end portion of the Rockford Lane on the east side of Dixie Highway that dead ends in Paducah and Louisville railroad. And this is right on that corner, on what would be the southeast corner of Rockford Lane and Dixie Highway. Basically this is an attempt to consolidate zoning in a commercial manufacturing zone, a CM zone, of a building that looks like it's a single, it's just one building, but it is a site with two different zonings. So you have got one portion of the site zoned C2, and another portion M-2. So this is an attempt to try to consolidate into a single zoning that will allow a little broader range of activities that would include, for instance, there could be retail, there could be some warehousing. There could be some light manufacturing on the site, and so that's what this is an attempt to consolidate zoning there. So it comes to us from the committee with a recommendation. This is in Mr. Blackwell's district and he may well want to comment.

PRESIDENT KING: Councilman Blackwell, would you like to comment?

COUNCILMAN BLACKWELL: Thank you, Mr. President. I obviously support what makes sense to pull this together and have one zoning for that area. I did have one concern and that is they had requested a waiver on a sidewalk, and I have been on record before, this is opposing waivers for sidewalks because in the district frankly and in the area, we have so few sidewalks and so many places where we have the sidewalks needs, and I have always thought that the in lieu process was better than the waiver. In this case, however, it does make some sense. There was an area where they can bring the sidewalk across and then you run into an area that has a drainage issue, drainage problem, and MSD would have to do some work there in order to create a situation that they could actually put the sidewalk there and there would be reasonable in terms of cost. Certainly we wouldn't expect them to do all of the drainage work as well. So as I understand it, although it's a little confusing in terms of the minutes, as I understand it in our office contacted the case manager and the attorney involved, and they assured me that that is in fact what the, therefore, and resolves say, is that the waiver is conditional and that if MSD were to correct that by -- I'm not putting that on MSD, but if they were to correct that that the applicant would finish that bit of sidewalk that is being waived at this point. That makes sense to me and I support it.

PRESIDENT KING: Thank you Councilman Blackwell. Is there further discussion?

Hearing none this ordinance requires a roll call vote. Madame Clerk, please open the voting.

Voting Result : Item 39

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JULIE RAQUE ADAMS: NOT VOTING
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 20 YES votes and 6 not voting. Council members Green, Woolridge, Tandy, Hamilton, Ward-Pugh and Adams.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk, a reading of Item 40.

40. O-138-07-08 AN ORDINANCE UPHOLDING THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY A REQUEST TO CHANGE THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO R-6 MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 9910 WESTPORT ROAD, CONTAINING A TOTAL OF 24.8 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 10841) (AS AMENDED).

Status: On Council Agenda - Old Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILMAN OWEN: Motion to approve.

COUNCILMAN HENDERSON: Second

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? Councilman Owen, would you in your discussion please explain the committee amendment.

COUNCILMAN OWEN: I will be happy to. This is an ordinance upholding the recommendation of the planning commission to deny the application for a rezoning from R4 to R6 on a very large site, 25-acre site that would be more or less across from the Springhurst Town Center to the north and to the rear would be E.P. Tom Sawyer Park on, the site is on Westport Road. It's been the site of several proposals for multifamily housing. And the Planning Commission believed there was too great a density there surrounded by R4 zoning and so the planning commission denied the application. After there were several discussions held and with the support of the council person of the district, Mr. Stuckel, we adopted in committee an amendment to the denial, to the ordinance for denial, and that amendment basically said that this council, if we adopt this ordinance, as proposed, which is a denial. We have the application, but the amendment that was added says that the council finds the property appropriate for some other form of residential development, and based on the record, further consideration, we recommend that potential should take place, and so we ask the planning commission to hold a public hearing within 100 (180) days of the passage of the ordinance to consider a proposal if one is made to change the

zoning on the property to permit some other form of residential development. So in essence, we are asking the commission to waive the two-year rule anticipating the likelihood that there will be another application and allowing that to go through the public hearing process, the public hearing before the planning commission, a decision by the planning commission and recommendation to the council on alternative development. So that's what the amendment that was adopted in committee, Mr. President, actually said. So you may want to ask Mr. Stuckel to comment since this is a site in his district and he was involved in these deliberations.

PRESIDENT KING: Before I do that, let me try to clarify the record on something. What I'm reading here it says the planning commission is hereby directed as opposed to being asked, it's directed a public hearing on a new plan submitted been 180 days, I thought I heard someone say 100 of the passage of this ordinance to consider a proposal to change the zoning on the property to prevent some other residential development and it's directed to waive.

COUNCILMAN OWEN: To waive the two-year rule.

PRESIDENT KING: Directed to waive the two year rule governing the review of new development proposals if it determines it is necessary to do so. Councilman Stuckel, would you like to comment on this?

COUNCILMAN STUCKEL: Thank you, Mr. President. This is probably the most controversial request for a zoning change I have ever had in my district. This 25-acre property is not only an attractive, but a very valuable site given its location on Westport Road and will more likely be developed at some point. It's clear from the record that residential development is the most appropriate since this site is located between two residential developments, across the street from another and is adjacent to E.P. Tom Sawyer Park. The proposed ordinance would do two things, first, uphold the planning commission's recommendation of denial of the proposal of record. Secondly, it would allow the commission to consider another residential proposal for the site that is more compatible with the adjacent neighborhoods. The development review process has been going on in one form or another on this property for almost five years and as we know, this process can be costly in regards to time and resources for all involved. So I ask you to support this amended ordinance that I hope will lead to a resolution in a reasonable period of time while still allowing for a complete review of any potential proposal in a public hearing format which I feel is absolutely necessary in this case. And ask for your approval.

PRESIDENT KING: Is there any further discussion?

Hearing none, the question is on the committee recommended version including the committee amendment. This amended ordinance requires a roll call vote, a vote for the committee amended version adopts the committee recommended amendment, and as a reminder a vote for this amended ordinance is in support of the recommendation for denial. Madame Clerk, please open the voting.

Voting Result : Item 40

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: NOT VOTING
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 20 YES votes and 6 not voting. Council members Green, Woolridge, Tandy, Hamilton, Ward-Pugh and Adams.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk, a reading of Item 41.

41. O-155-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE-FAMILY RESIDENTIAL TO C-1, COMMERCIAL, AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO TOWN CENTER ON PROPERTY LOCATED AT 8102 BEULAH CHURCH ROAD, CONTAINING A TOTAL OF 1.158 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9253).

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILMAN OWEN: Motion to approve.

COUNCILWOMAN SHANKLIN: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion? Chairman Owen?

COUNCILMAN OWEN: Yes, Mr. President, this is a site there at Beulah Church Road right at the terminus of Fegenbush Lane and the Outer Loop. It's a site of a, an old K-Mart, was it, Mr. Peden, an old K-Mart, that people will recognize it as K-Mart. Folks in that area for a long time will recognize it as across the street from Carpy's Corner. This is an attempt to expand the site that would allow for a new pharmacy, and it is also a way to consolidate the site under a single form district, which in this case is a Town Center. So the entire site is just over an acre and a half, and the rezoning is for something less than that. Town Center, yes. So the commercial rezoning from R4 to C1 is on 1 point 1.5 acres, and then the change in form district is for that entire site of just over an acre and a half. Now, all of this was -- needs to be done because both the body of the ordinance that we heard in committee, Mr. President, did not differentiate between the site that was going to be rezoned as a portion of the total site that was having a change in form district. So I have a floor amendment, Mr. President, and that floor amendment essentially inserts the correct acreages for those two pieces of the same site. And so that's what I propose as a form, as a floor amendment *inserting language 1.158 acres in the second line of the title and the fourth line of the title for the form district change on 1.518 acres for a total in the next to the last line of the title, for a total of 1.518 acres.* So there was just some incorrect in the title and in the body, there was incorrect acreages that were mentioned. I know this is difficult to follow, and then in section 1, we made the change, we inserted 1.158 acres of the property on a site totally 1.518 acres, and in section 2, we added 1.518 acres and then in the next line, 1.518 acres, and for the change in the form district. So I moved this -- I move this floor amendment, Mr. President.

COUNCILMAN ENGEL: Second.

PRESIDENT KING: Thank you.

I think I heard Councilman Engel second it. Let me clear something up before we move further. Madame Clerk, in looking at the system, I see the original ordinance, I believe, and then I see what appears to be the ordinance with the floor amendment that Mr. Owen has just proposed. Am I looking at that directly?

CLERK HERRON: You should have the amended ordinance first.

PRESIDENT KING: This is proposal ordinance. It says as amended but it won't be amended until we finish this floor amendment, right?

CLERK HERRON: That's correct.

PRESIDENT KING: That's what it will look like if we agree to this amendment. So everyone understands what they are seeing on the system. The item has been properly moved and seconded. Is there any discussion on the amendment?

Hearing none, this amendment required a voice vote. Those in favor say aye.

ALL PRESENT: Aye

The ayes have it. The amendment passes. Is there any further discussion?

COUNCILMAN OWEN: This is in Mr. Engel's district. He probably will want to comment. It is across the road from Mr. Peden's district. So I think we will defer to -- you may want to defer to Mr. Engel.

PRESIDENT KING: Councilman Engel, would you like to address this.

COUNCILMAN ENGEL: Sure, just briefly, Mr. President. Thank you. This particular development has come a long way. It was pretty well run down as the record will indicate. We are hoping and pushing for serious traffic flow considerations. There has been discussion about a round about out in front of this particular development. I know Councilman Peden and Representative Clark are involved we need to address that particular intersection. It's been talked about for years and so, but this particular development is right there at the corner there of Beulah Church Road and into the Outer Loop but I would love for my colleagues to support this particular development. Thank you.

PRESIDENT KING: Is there any further discussion?

Hearing none the amended ordinance requires a roll call vote. Madame Clerk, please open the voting.

Voting Result : Item 41

JUDY GREEN: EXCUSED ABSENCE

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: EXCUSED ABSENCE

DAVID TANDY: EXCUSED ABSENCE

CHERI HAMILTON: EXCUSED ABSENCE

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: EXCUSED ABSENCE

PRESIDENT JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JULIE RAQUE ADAMS: NOT VOTING

HAL HEINER: YES

STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
ELLEN CALL YES

CLERK HERRON: There are 20 YES votes and 6 not voting. Council members Green, Woolridge, Tandy, Hamilton, Ward-Pugh and Adams.

PRESIDENT KING: **The ordinance as amended passes.**

NEW BUSINESS:

PRESIDENT KING: The next order of business is New Business. New business comprised items 42 to 69, is that correct, Madame Clerk?

CLERK HERRON: That's what I have.

PRESIDENT KING: A reading of those items and their assignments to a committee please.

New Business:

42. O-159-08-08 AN ORDINANCE APPROPRIATING \$11,315.00 FROM THE DISTRICT 8 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO HIGHLANDS COMMUNITY MINISTRIES, INC. FOR OPERATING COST INCLUDING THE "WEEK IN THE HIGHLANDS" AND WARHEIM PARK ASSOCIATION.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Tom Owen

43. O-160-08-08 AN ORDINANCE APPROPRIATING \$15,000 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$5,000 FROM DISTRICTS 12 AND 21, \$4,000 FROM DISTRICT 13 AND \$1,000 FROM DISTRICT 15, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE HOLY ROSARY FOUNDATION, INC., FOR EXPENSES RELATING TO THE KENTUCKY DERBY FESTIVAL RAMBLE FOR THE ROSES.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:
Dan Johnson
Marianne Butler
Rick Blackwell
Vicki Welch

44. R-144-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$156,268.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Vicki Welch

45. O-161-08-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$14,350 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$4,200 FROM DISTRICT 24, \$3,150 FROM DISTRICT 13, \$2,100 FROM DISTRICTS 16 AND 3, AND \$1,400 FROM DISTRICTS 2

AND 18 THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE CHILD CONNECTION, INC. TO CONDUCT THE STRANGER SAFETY PROGRAM IN VARIOUS ELEMENTARY AND MIDDLE SCHOOLS IN JEFFERSON COUNTY.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:
Madonna Flood
Vicki Welch
Kelly Downard
Mary C. Woolridge
Barbara Shanklin
Julie Raque Adams

46. R-146-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE, DEPARTMENT OF FAMILY AND GERIATRIC MEDICINE - \$12,000.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Vicki Welch

47. R-147-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (UNIVERSITY EMERGENCY MEDICINE ASSOCIATES, P.S.C. - \$51,000.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Jim King

48. R-145-08-08 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO COMPASS AIRLINES, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

49. R-148-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$150,000.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Madonna Flood

50. R-149-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY EMERGENCY MEDICINE ASSOCIATES, P.S.C. - \$45,000.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Madonna Flood

51. R-150-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (MYCAREERNETWORK.COM, LLC - \$61,497.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Robert Henderson

52. R-151-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT – (YOUNG MEN’S CHRISTIAN ASSOCIATION OF GREATER LOUISVILLE - \$55,000.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Mary Woolridge

53. R-152-08-08 A RESOLUTION URGING THE STATE AND FEDERAL GOVERNMENTS TO PROVIDE ABSENTEE MEDICAID REIMBURSEMENT FOR CLIENTS OF LEVEL II ADULT TRAINING FACILITIES.

Status: On Council Agenda - New Business
Committee: Health & Human Needs
Primary Sponsor:
Jim King
Tina Ward-Pugh

54. R-153-08-08 A RESOLUTION DETERMINING FOUR (4) PARCELS OF REAL PROPERTY LOCATED AT 3012 BANK STREET (10B-77), 3016 BANK STREET (10B-76), 1924 CROP STREET (3M-142) AND 1615 ROWAN STREET (15F-107) OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“METRO GOVERNMENT”) AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

55. R-154-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$59,500.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Judy Green

56. R-155-08-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE KENTUCKIANA REGIONAL PLANNING AND DEVELOPMENT AGENCY (KIPDA), IN THE AMOUNT OF APPROXIMATELY \$100,000 THROUGH THE LOUISVILLE METRO PUBLIC WORKS & ASSETS DEPARTMENT FOR DEVELOPMENT OF A BICYCLE/PEDESTRIAN MASTER PLAN.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

57. O-162-08-08 AN ORDINANCE APPROPRIATING \$14,400.00 FROM THE DISTRICT 25 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO PRAIRIE VILLAGE BASEBALL-SOFTBALL, INC. TO PURCHASE AND INSTALL TWO PAVILIONS.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Doug Hawkins

58. O-163-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 7706, 7710, 7714 AND 7718 BARDSTOWN ROAD AND 7509 CEDAR CREEK ROAD, CONTAINING A TOTAL OF 5.43 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9941).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

59. O-164-08-08 AN ORDINANCE CHANGING THE ZONING FROM C-1, COMMERCIAL TO C-2, COMMERCIAL ON PROPERTY LOCATED AT 4031 AND 4035 PRESTON HIGHWAY AND 1201 AND 1209 MORGAN AVENUE, CONTAINING A TOTAL OF 0.59 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9805).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

60. O-165-08-08 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE FAMILY RESIDENTIAL TO C-2, COMMERCIAL, AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO REGIONAL CENTER ON PROPERTY LOCATED AT 5101 OUTER LOOP, CONTAINING A TOTAL OF 27.32 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9893).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

61. R-156-08-08 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS FOR BIKE AND PEDESTRIAN FACILITIES LINKING LOUISVILLE'S OLMSTED PARKS.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

62. O-166-08-08 AN ORDINANCE AMENDING ORDINANCE NO. 98, SERIES 2005, AND ORDINANCE NO. 111, SERIES 2008, RESPECTIVELY RELATING TO THE FISCAL YEAR 2005-2006 AND 2008-2009 CAPITAL BUDGETS FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$25,000 OF CAPITAL CUMULATIVE RESERVE FUND BETWEEN CAPITAL PROJECTS.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: James Peden

63. O-168-08-08 AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 18 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE

AND ADMINISTRATION, TO THE METRO SEWER DISTRICT (MSD), TO COMPLETE THE CARRIAGE HOUSE CT., DRI PHASE III PROJECT IN STERLING SPRINGS, A DRAINAGE PROJECT IN DISTRICT 18.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Julie Raque Adams

64. O-169-08-08 AN ORDINANCE CLOSING SECTIONS OF WASHINGTON STREET (CONTAINING A TOTAL OF 15,325.13 SQUARE FEET), WATER STREET (CONTAINING A TOTAL OF 20,051.47 SQUARE FEET), SECOND STREET (CONTAINING A TOTAL OF 3,889.03 SQUARE FEET) AND THIRD STREET (CONTAINING A TOTAL OF 7,073.52 SQUARE FEET) BOUNDED BY RIVER ROAD ON THE NORTH, MAIN STREET ON THE SOUTH, SECOND STREET ON THE EAST, AND THIRD STREET ON THE WEST, ALL BEING IN LOUISVILLE METRO (CASE NO. 10411).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

65. O-167-08-08 AN ORDINANCE CONCERNING THE LEVY OF TAXES WITHIN THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE LOUISVILLE URBAN SERVICES DISTRICT FOR FISCAL YEAR ENDING JUNE 30, 2009.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: David Tandy

66. R-157-08-08 A RESOLUTION APPROVING AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE JEFFERSON COUNTY, KY AND BULLITT COUNTY, KY SHERIFFS' DEPARTMENTS.

Status: On Council Agenda - New Business
Committee: Public Safety
Primary Sponsor:
Rick Blackwell
Vicki Welch
Robert Henderson
Madonna Flood

67. R-158-08-08 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - (UNIVERSITY OF LOUISVILLE, SCHOOL OF NURSING - \$391,876.00).

Status: On Council Agenda - New Business
Committee: Contracts
Primary Sponsor: Vicki Welch

68. O-170-08-08 AN ORDINANCE APPROPRIATING \$5,001.00 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$1,001 FROM DISTRICT 25, AND \$1,000 EACH FROM DISTRICTS 12, 13, 14, AND 15, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE YMCA SOUTHWEST FOR MONTHLY YMCA FAMILY NIGHT ACTIVITY EXPENSES.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:
Doug Hawkins

Rick Blackwell
Vicki Welch
Robert Henderson
Marianne Butler

69. R-159-08-08 A RESOLUTION OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY AUTHORIZING THE APPOINTMENT OF (i) MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED AS SUCCESSOR REMARKETING AGENT FOR THE \$22,500,000 PRINCIPAL AMOUNT OF COUNTY OF JEFFERSON, KENTUCKY, POLLUTION CONTROL REVENUE BONDS, 2001 SERIES A (LOUISVILLE GAS AND ELECTRIC COMPANY PROJECT), DATED MARCH 6, 2002 AND (ii) MORGAN STANLEY & CO. INCORPORATED AS SUCCESSOR REMARKETING AGENT FOR THE \$35,000,000 PRINCIPAL AMOUNT OF COUNTY OF JEFFERSON, KENTUCKY, POLLUTION CONTROL REVENUE BONDS, 2001 SERIES B (LOUISVILLE GAS AND ELECTRIC COMPANY PROJECT), DATED MARCH 22, 2002.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

ADJOURNMENT

There being no further business, the **August 28, 2008** Regular Louisville Metro Council meeting adjourned without objection on a motion by Councilman Owen at 7:12 PM EDT.

Kathleen J. Herron, Metro Council Clerk

Jim King, Metro Council President

Announcements were made by CW Welch and CM Owen.
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